



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**61ST LEGISLATIVE DAY**

**FRIDAY, JUNE 29, 2007**

**10:15 O'CLOCK A.M.**

**SENATE**  
**Daily Journal Index**  
**61st Legislative Day**

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The Senate met pursuant to adjournment.  
 Senator Rickey R. Hendon, Chicago, Illinois, presiding.  
 Prayer by Alvina Williams, Christian Scientist Church, Springfield, Illinois.  
 Senator Maloney led the Senate in the Pledge of Allegiance.

The Journal of Thursday, June 28, 2007, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

### **REPORTS RECEIVED**

The Secretary place before the Senate the following reports:

Law Enforcement Training and Standards Board Task Force Report pursuant to SR 51, 95<sup>th</sup> G.A., submitted by the Illinois Law Enforcement Training and Standards Board.

Excellence in Academic Medicine Payments for Fiscal Year 2007, submitted by the Department of Healthcare and Family Services and the Department of Public Health.

Annual Report to the General Assembly on Executive Order Number 3, July 1, 2006 – June 30.,2007, submitted by the Department of Healthcare and Family Services.

ISBE Comprehensive Strategic Plan – June 2007 Report, submitted by the Illinois State Board of Education.

ISBE Pre-Kindergarten Program for Children at Risk of Academic Failure 2005 - 2006 Evaluation Report, submitted by the Illinois State Board of Education.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

### **JOINT ACTION MOTION FILED**

The following Joint Action Motion to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Motion to Concur in House Amendment 3 to Senate Bill 1397

### **PRESENTATION OF RESOLUTION**

Senator Demuzio offered the following Senate Resolution, which was referred to the Committee on Rules:

#### **SENATE RESOLUTION NO. 275**

WHEREAS, The federal Telecommunications Act of 1996, through the establishment of the Federal Universal Service Fund, was intended to promote the availability of quality services at just, reasonable, and affordable prices, increased access to advanced telecommunications services throughout the Nation, and the availability of quality services to all consumers, including those in low-income, rural, insular, and high-cost areas, at rates that are reasonably comparable to those charged in urban areas; and

WHEREAS, The intended goals of that legislation have not been met in the State of Illinois, and many of Illinois' communities have no wireless services or inadequate wireless service; and

WHEREAS, The failure to achieve the goals of improved and high-quality services has, and will

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continue to have, a direct and substantial negative impact on the health and safety of the people living and working in Illinois' rural areas; and

WHEREAS, The failure to achieve this goal of high-quality wireless services at just, reasonable, and affordable rates to everyone is a very significant barrier to the economic development of much of rural Illinois; and

WHEREAS, There are 3 rural wireless carriers in Illinois that are seeking certification as eligible telecommunications carriers; the federal universal service funding will enable these eligible telecommunications carriers to construct significant additional wireless infrastructure in rural Illinois; and

WHEREAS, The Illinois Commerce Commission has certified one of these carriers and is reviewing the requests for certification of the other two; and

WHEREAS, The Federal-State Joint Board on Universal Service has recommended that the Federal Communications Commission impose a cap on universal service funding for rural wireless carriers seeking to expand coverage in rural areas; and

WHEREAS, This recommended cap would severely limit Federal Universal Service Fund support for Illinois' rural wireless carriers currently receiving these funds; and

WHEREAS, The proposed cap on funding would serve to undercut the purpose and objective of the federal Telecommunications Act of 1996 by impairing the ability of Illinois' wireless-eligible telecommunications carriers to expand infrastructure into rural Illinois so that rural and urban wireless service is equal, as promised by that Act; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Federal Communications Commission to reject the cap proposed by the Federal-State Joint Board on Universal Service; and be it further

RESOLVED, That we urge the United States Congress to repeal the cap if it is adopted by the Federal Communications Commission; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Honorable Kevin J. Martin, Chairman of the Federal Communications Commission, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives and to each member of the Illinois congressional delegation.

#### MESSAGES FROM THE HOUSE

A message from the House by  
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 17

A bill for AN ACT concerning revenue.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 17

House Amendment No. 3 to SENATE BILL NO. 17

Passed the House, as amended, June 29, 2007.

MARK MAHONEY, Clerk of the House

#### AMENDMENT NO. 2 TO SENATE BILL 17

AMENDMENT NO. 2. Amend Senate Bill 17 as follows:

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on page 1, line 5, by changing "Division 16" to "Divisions 16 and 17"; and

on page 2, line 22, after "5", by inserting "contiguous"; and

on page 5, by replacing line 1 with the following:

"10-155, (iv) land certified under Section 10-160, or (v) any property dedicated as a nature preserve or a nature preserve buffer under the Illinois Natural Areas Preservation Act and assessed in accordance with subsection (e) of Section 9-145."; and

on page 8, by deleting lines 1 through 16; and

on page 8, line 18, by changing "may" to "shall"; and

on page 8, immediately below line 19, by inserting the following:

"(35 ILCS 200/Art. 10 Div. 17 heading new)

DIVISION 17. WOODED ACREAGE ASSESSMENT TRANSITION LAW

(35 ILCS 200/10-500 new)

Sec. 10-500. Short title. This Division may be cited as the Wooded Acreage Assessment Transition Law.

(35 ILCS 200/10-505 new)

Sec. 10-505. Wooded acreage defined. For the purposes of this Division 17, "wooded acreage" means any parcel of unimproved real property that:

(1) can be defined as "wooded acreage" by the United States Department of Labor Bureau of Land Management;

(2) is at least 5 contiguous acres;

(3) does not qualify as cropland, permanent pasture, other farmland, or wasteland under Section 10-125 of the this Code;

(4) is not managed under a forestry management plan and considered to be other farmland under Section 10-150 of this Code;

(5) does not qualify for another preferential assessment under this Code; and

(6) is owned by the taxpayer on October 1, 2007.

(35 ILCS 200/10-510 new)

Sec. 10-510. Assessment of wooded acreage.

(a) If wooded acreage was classified as farmland during the 2006 assessment year, then the property shall be assessed by multiplying the current fair cash value of the property by the transition percentage. The chief county assessment officer shall determine the transition percentage for the property by dividing (i) the property's 2006 equalized assessed value as farmland by (ii) the 2006 fair cash value of the property.

(b) The wooded acreage shall continue to be assessed under the provisions of this Section through any assessment year in which the property is transferred or no longer qualifies as wooded acreage under Section 10-505, and the property must be assessed as otherwise permitted by law beginning the following assessment year.

(35 ILCS 200/10-515 new)

Sec. 10-515. Notice requirement. If the owner of property subject to this Division is a corporation, partnership, limited liability company, trust, or other similar entity, then it shall report to the chief county assessment officer any change in ownership interest or beneficial interest. If, after October 1, 2007, the ownership interests or beneficial interests in such an entity change by more than 50% from those interests as they existed on October 1, 2007, then the property no longer qualifies to receive the preferential assessment treatment of the wooded acreage under this Division, and the property must be assessed as otherwise permitted by law beginning the following assessment year.

(35 ILCS 200/10-520 new)

Sec. 10-520. Cook County exempt. This Division 17 does not apply to any property located within Cook County."

**AMENDMENT NO. 3 TO SENATE BILL 17**

AMENDMENT NO. 3. Amend Senate Bill 17, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 1, line 7, by changing "10-160" to "10-167".

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Under the rules, the foregoing **Senate Bill No. 17**, with House Amendments numbered 2 and 3, was referred to the Secretary's Desk.

A message from the House by  
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, the veto of the Governor notwithstanding, to-wit:

**SENATE BILL 1395**

A bill for AN ACT concerning revenue.  
Passed the House, June 29, 2007, by a three-fifths vote.

MARK MAHONEY, Clerk of the House

A message from the House by  
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

**SENATE JOINT RESOLUTION NO. 1**

Concurred in by the House, June 29, 2007.

MARK MAHONEY, Clerk of the House

A message from the House by  
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

**HOUSE BILL 1648**

A bill for AN ACT concerning education.  
Which amendment is as follows:  
Senate Amendment No. 1 to HOUSE BILL NO. 1648  
Concurred in by the House, June 29, 2007.

MARK MAHONEY, Clerk of the House

**INTRODUCTION OF BILLS**

**SENATE BILL NO. 1847.** Introduced by Senator Cullerton, a bill for AN ACT concerning regulation.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1848.** Introduced by Senator Garrett, a bill for AN ACT concerning State government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**EXCUSED FROM ATTENDANCE**

On motion of Senator Righter, Senators J. Jones and Lauzen were excused from attendance.

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**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON  
SECRETARY'S DESK**

On motion of Senator Delgado, **Senate Bill No. 545**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Delgado moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 50; Nays None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Ronen
Bomke	Frerichs	Maloney	Sandoval
Bond	Garrett	Martinez	Schoenberg
Brady	Haine	Millner	Sieben
Collins	Halvorson	Munoz	Silverstein
Cronin	Harmon	Murphy	Sullivan
Crotty	Hendon	Noland	Syverson
Cullerton	Holmes	Pankau	Trotter
Dahl	Hunter	Peterson	Viverito
DeLeo	Koehler	Radogno	Watson
Delgado	Kotowski	Raoul	Mr. President
Demuzio	Lightford	Righter	
Dillard	Link	Risinger	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 545**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cullerton, **Senate Bill No. 577**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cullerton moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Sandoval
Bomke	Frerichs	Maloney	Schoenberg
Bond	Garrett	Martinez	Sieben
Brady	Haine	Millner	Silverstein
Burzynski	Halvorson	Munoz	Sullivan
Collins	Harmon	Murphy	Syverson
Cronin	Hendon	Noland	Trotter
Crotty	Holmes	Pankau	Viverito
Cullerton	Hultgren	Peterson	Watson
Dahl	Hunter	Radogno	Mr. President
DeLeo	Koehler	Raoul	
Delgado	Kotowski	Righter	
Demuzio	Lightford	Risinger	
Dillard	Link	Ronen	

The motion prevailed.

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And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 577**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bond, **Senate Bill No. 778**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Bond moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

Yeas 51; Nays None.

The following voted in the affirmative:

Althoff	Forby	Link	Risinger
Bond	Frerichs	Luechtefeld	Ronen
Brady	Garrett	Maloney	Sandoval
Burzynski	Haine	Martinez	Schoenberg
Collins	Halvorson	Millner	Sieben
Cronin	Harmon	Munoz	Silverstein
Crotty	Hendon	Murphy	Sullivan
Cullerton	Holmes	Noland	Syverson
Dahl	Hultgren	Pankau	Trotter
DeLeo	Hunter	Peterson	Viverito
Delgado	Koehler	Radogno	Watson
Demuzio	Kotowski	Raoul	Mr. President
Dillard	Lightford	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 778**, by a three-fifths vote.

Ordered that the Secretary inform the House of Representatives thereof.

### READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Sullivan, **House Bill No. 291**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 52; Nays None.

The following voted in the affirmative:

Althoff	Forby	Luechtefeld	Sandoval
Bomke	Frerichs	Maloney	Schoenberg
Bond	Garrett	Martinez	Sieben
Brady	Haine	Millner	Silverstein
Burzynski	Halvorson	Munoz	Sullivan
Collins	Harmon	Murphy	Syverson
Cronin	Hendon	Noland	Trotter
Crotty	Holmes	Pankau	Viverito
Cullerton	Hultgren	Peterson	Watson
Dahl	Hunter	Radogno	Mr. President
DeLeo	Koehler	Raoul	
Delgado	Kotowski	Righter	

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Demuzio	Lightford	Risinger
Dillard	Link	Ronen

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).  
Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Trotter, **House Bill No. 3920**, having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

Yeas 45; Nays 7.

The following voted in the affirmative:

Althoff	Forby	Link	Ronen
Bomke	Frerichs	Luechtefeld	Schoenberg
Bond	Garrett	Maloney	Sieben
Burzynski	Haine	Martinez	Silverstein
Collins	Halvorson	Millner	Sullivan
Crotty	Harmon	Munoz	Trotter
Cullerton	Hendon	Noland	Viverito
Dahl	Holmes	Peterson	Watson
DeLeo	Hunter	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lightford	Risinger	

The following voted in the negative:

Brady	Hultgren	Pankau	Syverson
Cronin	Murphy	Sandoval	

This bill, having received the vote of three-fifths of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).  
Ordered that the Secretary inform the House of Representatives thereof.

### PRESENTATION OF RESOLUTION

Senator Halvorson offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

#### SENATE JOINT RESOLUTION NO. 68

**RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN**, that when the two Houses adjourn on Friday, June 29, 2007, the Senate stands adjourned until Tuesday, July 10, 2007 at 12:00 o'clock noon; and the House of Representatives stands adjourned until Monday, July 09, 2007, in perfunctory session; and when it adjourns on that day, it stands adjourned until Tuesday, July 10, 2007.

The motion prevailed.  
And the resolution was adopted.

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Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

**RESOLUTIONS CONSENT CALENDAR**

**SENATE RESOLUTION 259**

Offered by Senator Haine and all Senators:  
Mourns the death of James Richard Heil of Alton.

**SENATE RESOLUTION 260**

Offered by Senator Haine and all Senators:  
Mourns the death of Joseph George Masulla of Alton.

**SENATE RESOLUTION 261**

Offered by Senator Haine and all Senators:  
Mourns the death of William S. Abbott of Godfrey.

**SENATE RESOLUTION 262**

Offered by Senator Haine and all Senators:  
Mourns the death of Daniel J. Partney of Ste. Genevieve, Missouri, formerly of Granity City.

**SENATE RESOLUTION 263**

Offered by Senator Harmon and all Senators:  
Mourns the death of Marie Therese Fegan of LaGrange.

**SENATE RESOLUTION 264**

Offered by Senator Sullivan and all Senators:  
Mourns the death of U.S. Army Captain Joshua E. Steele of North Henderson.

**SENATE RESOLUTION 265**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Max D. Eldred of Chesterfield.

**SENATE RESOLUTION 266**

Offered by Senator Collins and all Senators:  
Mourns the death of Corethea A. Davis of Chicago.

**SENATE RESOLUTION 267**

Offered by Senator Haine and all Senators:  
Mourns the death of Samuel Richard Herndon of Roxana

**SENATE RESOLUTION 268**

Offered by Senator Haine and all Senators:  
Mourns the death of Albert Cassens of Corvallis, Montana, formerly of Edwardsville.

**SENATE RESOLUTION 269**

Offered by Senator Haine and all Senators:  
Mourns the death of Katherine Figge of Edwardsville.

**SENATE RESOLUTION 270**

Offered by Senator Haine and all Senators:  
Mourns the death of Purvis Smith of Alton.

**SENATE RESOLUTION 271**

Offered by Senator Haine and all Senators:  
Mourns the death of Dorothy C. Virgin of Bethalto.

**SENATE RESOLUTION 272**

Offered by Senator Haine and all Senators:  
Mourns the death of Margaret McCormick of Alton.

**SENATE RESOLUTION 273**

Offered by Senators Watson – Brady and all Senators:  
Mourns the death of U.S. Army Specialist Karen Clifton.

**SENATE RESOLUTION 274**

Offered by Senator Peterson and all Senators:  
Mourns the death of James P. Keagle, Sr., former Mayor of Wauconda.

The Chair moved the adoption of the Resolutions Consent Calendar. The motion prevailed, and the resolutions were adopted.

At the hour of 11:13 o'clock a.m., the Chair announced that the Senate stand adjourned until Tuesday, July 10, 2007, at 12:00 o'clock noon.